

CITY OF EAST PROVIDENCE

RHODE ISLAND

JOURNAL OF REGULAR COUNCIL MEETING

TUESDAY, OCTOBER 19, 2004

The City Council meets in the Council Chamber on Tuesday, October 19, 2004, and is called to order at 7:36 P.M. by Mayor Rolland R. Grant.

Present: Mayor Rolland R. Grant.) Council Members

Patrick A. Rogers

Norman J. Miranda)

Daniel F. Harrington)

Dr. Isadore S. Ramos)

William J. Fazioli) City Manager

William J. Conley, Jr) City Solicitor

John M. O'Hare) City Clerk

Lori Merolla Carole, Merandi Reporting, is present to record the proceedings of the public hearings.

The invocation is given by Councilman Rogers. The Salute to the Flag is led by Councilman (Dr.) Ramos.

CONSENT CALENDAR

Department of Environmental Management

Insignificant Alteration -Permit

Application No. 04-0435 in reference to the property and proposed project located:
approximately 50 feet west of Forbes Street and approximately 100 feet northwest of its intersection with Lunn Street near Pole 1, Assessor's Plat Map 411, Block 5,
Parcel 87, East Providence, R..I.

A letter to Councilman Norman J. Miranda from Kathleen A. Melfi. Ms. Melfi requested that every Councilman receive a copy.

Alcoholic Beverage-Class F-October 23, 2004
Sacred Heart Church, 118 Taunton Avenue

CANCELLATIONS/ABATEMENTS	
YEAR	AMOUNT
2004	\$5362.72
2003	\$181.79
2002	\$68.26
2001	\$30.79
TOTAL	\$5643.56

Motion by Mr. Miranda, seconded by Dr. Ramos, it is unanimously voted to approve.

Mayor Grant recommends changing the order of business to bring the fire fighters up front on the HAZMAT.

Motion by Mr. Miranda, seconded by Mr. Harrington to change the order of business, it is unanimously voted to approve.

Mr. Fazioli states that we will be making presentation to those who have received some specialized training within the last couple of weeks. Fire Chief Castro comes forward to describe the kind of training that they received, how the program works and what this means to the City. The program for the Hazardous Material Technical Training was made possible by a \$207,000 Federal Grant. As a condition of the grant the City had to come up with 10% of it which was raised from 13 sources from private industry. All 23 fire fighters who participated in the program were called forward and honored

with applause from the audience. Dr. Ramos and Mr. Miranda speak out about the quality of the fire fighters and other public safety personnel in the City and congratulates them.

Move to return to the regular order of business by Mayor Grant. So moved by Mr. Miranda.

APPOINTMENTS

(By Mayor Rolland R. Grant)

CAROUSEL COMMISSION (Alternate)

Donna McMahon

233 Norton Street, East

Providence, R.I. 02915

Motion by Mr. Miranda, seconded by Mr. Rogers, it is unanimously voted to approve.

Robin Bothelo

90 Sprague Street, East

Providence, R.I. 02915

Motion by Mr. Rogers, seconded by Mr. Miranda, it is unanimously voted to approve.

The above designees serve as alternates only.

(By Mayor Rolland R. Grant)

JUVENILE HEARING BOARD

Dorrie King

226 Norton Street, East

Providence, R.I. 02915

Motion by Mr. Harrington, seconded by Mr. Miranda, it is unanimously voted to approve

From the Addendum

**Albert Escobar
Providence, R.I. 01914**

110 Brown Street, East

Motion by Mr. Harrington, seconded by Dr. Ramos, it is unanimously voted to approve.

**CITY COUNCIL SITTING AS LICENSING COMMISSIONERS
LICENSES REQUIRING PUBLIC HEARING**

The Price Is Right (Antiques)

From: Jane and Robillard Quattrucci

dba: The Price Is Right (Antiques)

1175 Warren Avenue, East Providence 02914

SEC/Antiques (Transfer)

**to: Kevin & Diana Gagnon, 16 Padelford Avenue, East
Providence, RI 02915**

dba: The Price Is Right (Antiques)

**Subject to approvals from: Police Chief, Building Inspector,
Zoning Officer, Fire Marshall.**

**The petitioners are sworn in and state that they will sell used
furniture and household goods. They state that the nature
of the store is not going to change.**

Motion by Mr. Harrington, seconded by Mr. Rogers.

Mr. Harrington Aye

Mr. Miranda Aye

Dr. Ramos Aye

Mr. Rogers Aye

Mayor Grant Aye

Motion passes 5 to 0.

Scialo's Bakery of Riverside

From: Bill Moura

dba: Crown Sweet Shop

202 Willett Avenue, East Providence 02915

Sunday/Holiday Sales (Transfer)

to:Robert Scialo, 129 Wheeler Street, Rehoboth, MA

dba: Scialo's Bakery of Riverside

**Subject to approvals from: Police Chief, Building Inspector,
Health Inspector, Fire Marshall.**

**Mr. Robert Scialo is sworn in. Upon questioning by the Mayor
he states that the runs Scialo's Bakery in Seekonk.**

Motion by Mr. Harrington, seconded by Dr. Ramos.

Mr. Harrington Aye

Mr. Rogers Aye

Mr. Miranda Aye

Dr. Ramos Aye

Mayor Grant Aye

Motion passes 5 to 0.

**LICENSING COMMISSIONERS RESUME SITTING AS CITY
COUNCIL**

PUBLIC HEARINGS

ORDINANCES-FINAL PASSAGE

**AN ORDINANCE IN AMENDMENT OF CHAPTER 18 OF THE CITY
OF EAST PROVIDENCE,**

**RHODE ISLAND, 1998, AS AMENDED, ENTITLED, “VEHICLES
AND TRAFFIC,” SECTION 1.**

**Article X “Stopping, Standing and Parking,” Subsec 18-307
entitled “Parking prohibited at all times” deleting: APPIAN
WAY (east side) from WATERMAN AVENUE South FOR 135 feet.**

Motion to approve by Mr. Miranda, seconded by Mr. Harrington.

Mr. Harrington Aye

Mr. Miranda	Aye
Mr. Rogers	Aye
Dr. Ramos	Aye
Mayor Grant	Aye

Motion passes 5 to 0.

FROM THE ADDENDUM

**ZONING MAP AMENDMENT Ref. Sec 19-72-90 South
Blossom Street**

**Request to defer by Mr. Doug Nani, Mooretown Realty, LLC
because Attorney John T. Gannon is unavailable.**

**Motion to defer until November 8, 2004 by Mr. Harrington,
seconded by Mr. Miranda.**

Mr. Harrington	Aye
Mr. Miranda	Aye
Mr. Rogers	Aye
Dr. Ramos	Aye
Mayor Grant	Aye

Motion passes 5 to 0.

Re-designation of East Providence Enterprise Zone. In

conjunction “A RESOLUTION OF THE EAST PROVIDENCE
CITY COUNCIL AUTHORIZING AND ENDORSING THE APPLICATION
FOR RE-DESIGNATION UNDER THE RHODE ISLAND
ENTERPRISE ZONE PROGRAM.

SECTION 1. That the Mayor of the City of East Providence be
authorized and empowered to submit area designation
application to the Rhode Island Enterprise Zone Council for the
acceptance and re-designation of the City of East
Providence Enterprise Zone established on January 1, 1995.

SECTION 2. That the mayor be, and hereby is authorized and
empowered to make any and all assurances; accept
any and all terms and conditions necessary and required to meet the
obligations

and requirements of the Enterprise Zone Council as part of the
redesignation process, and in consideration of such
re-designation, the City Council of the City of East Providence hereby
acknowledges its responsibilities and duties to
undertake further actions as shall be essential to meet the
requirements and obligations of such re-designation as to them shall
be necessary and proper and shall have been recommended
by the Mayor, the Director of Planning and Urban Development and/
or the Planning Board.

SECTION 3. This resolution shall become effective immediately

upon its passage by the East
Council.

Providence City

Motion to defer by Mr. Harrington, seconded by Mr. Miranda

Mr. Harrington	Aye
Mr. Miranda	Aye
Mr. Rogers	Aye
Dr. Ramos	Aye
Mayor Grant	Aye

Motion passes 5 to 0.

BUDGET

**AN ORDINANCE APPROPRIATING \$119,660,346 FOR THE
SUPPORT OF THE CITY
GOVERNMENT FOR THE FISCAL YEAR ENDING OCTOBER 31,
2005.**

Mr. Fazioli gives a brief update on the budget. He states that the City did receive state approval above and beyond the state override of 5.5%. He predicts that this budget will stabilize our credit rating. It establishes the foundation for future budgets so that there will be sufficient money in the budget to develop a true pay as you go capital plan so we no longer have to rely on

bonding.

Those individuals wishing to speak out on the budget are sworn in by the City Solicitor.

John F. Conley states that to discuss the budget a person must be a resident of the City of East Providence. Mr. Conley questions Councilman Harrington if he is a resident of the City of East Providence? Mr. Harrington states that he is an elected official of the City and is now officially in transition and will serve out the rest of his term and not disenfranchise the votes of his district.

Mr. Conley objects to Mr. Harrington voting on the budget because he is a Massachusetts resident.

Mr. Conley requests that Mr. Harrington recuse himself from voting on the budget.

Mr. Conley also speaks out in favor of a capital improvement budget.

Mr. Harold Gerstein testifies. He states that we cannot run the City with deficits. He criticizes the last revaluation by the way it was done..He is critical of the school budget. He recommends privatization to save money. He believes that putting a greater tax burden on the homeowner than businesses was wrong. He summarizes that he is against the budget and that we

have to make some changes.

He recommends that cuts be made.

Mr. John Fahey now speaks on the budget. He speaks in favor of city employee contributions to their health benefits, exercise of management controls and downsizing. He does not support the budget

and encourages the council to reject it.

Joe Larisa now wishes to speak. He states that for the first time we are going to exceed the 5.5% cap

set by state law. This follows last year's 5.5% increase which is the highest set in East Providence.

He claims that the Homestead exemption should have been increased to 20% last year and it should be reinstated after the next revaluation to mitigate the facts of the two largest tax increases in the City.

Dr. Ramos requests Mr. McDonald, Finance Director to approach the Council. He asks if anyone has ever presented such a proposal as Mr. Larisa to increase the Homestead Exemption?

Mr. McDonald

States that what we did to reduce the burden on homeowners was to create the dual tax rate in which the commercial tax rate is approximately 25% higher than the residential rate. He states that we could not have this rate plus an increase in the

Homestead Act.

Mr. Harrington thanks everyone who participated in the discussion. He mentions that co-pays are on the table for the next Council. He states that some of the worst days are behind us. He states that he will support the budget.

Dr. Ramos states that he will stick with the 5.5% for the budget.

Mr. Miranda states that we need capital improvements and gives trucks at the highway department as an example. He states that in the school system, the children need books. He has a lot of faith in the new City Manager and in the new Superintendent of Schools. He states that the new Manager is trying to get things straightened out and it is time to step up to the plate. He pledges to Mr. Fazioli to support his budget.

Mr. Rogers joins Mr. Miranda in commending Mr. Fazioli as financial expert. He states that there was a spirit of cooperation between the City Manager and the Superintendent. He says that this budget will make it easier for the next council. He will join Councilman Harrington and Councilman Miranda in supporting the budget because it is for the best long term interest of the community. We are giving

a vote of confidence to Mr. Vinhatiero and Mr. Fazioli. We are

giving you the financial tools and we look to your leadership to make sure that things happen.

Mr. Harrington and Mr. Miranda commend the Police and Fire Departments and the teachers for stepping up to the plate in taking a pay cut and setting an example.

Mayor Grant brings forth the idea that the state of Rhode Island should provide support for the schools

and not Cities and Towns. The mayor is critical of Blue Cross and other insurances. Now the City Government that taxes are going up. Government has to put these insurance companies on the right track because these companies are bleeding the public dry. The mayor says that he will go against the budget even though it is one of the better budgets. He states that he cannot vote for it, it is hard, but we do have an idea of what we should and should not do. It is his answer to what we should do in these inflationary times The mayor states that is that it is the unfunded mandates that are hurting the cities and towns.

Motion to approve by Mr. Rogers, seconded by Mr. Harrington.

Mr. Harrington Aye

Mr. Miranda Aye

Mr. Rogers Aye

Dr. Ramos Nay

Mayor Grant Nay

Motion passes 3 to 2.

CITY MANAGER

1. Took place previously.

2. I & I Report-Tabled because Steve Coutu was unavailable to provide the report.

3. Delta Dental-Because we are in the last year of a three year contract and they are proposing a 7% increase. The City Manager looks for approval from the City Council to go out and seek new bids for the next three years.

Motion by Mr. Harrington, seconded by Mr. Miranda.

Mr. Harrington Aye

Mr. Miranda Aye

Mr. Rogers Aye

Dr. Ramos Aye

Mayor Grant Aye

Motion passes 5 to 0.

4. (From the Addendum) To purchase a 27\' Boston Whaler pursuant to a grant for Homeland Security.

Motion by Mr. Harrington, seconded by Mr. Miranda, it is unanimously voted to approve.

5. (From the Addendum) Disposition of City owned land- Thompson School. Mr. Fazioli asks the City Council to table the matter.

Mr. Rogers recuses himself from voting on this matter because his law firm represents the Wolf School which is interested in purchasing the School.

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REPORTS OF OTHER CITY OFFICIALS CLAIMS COMMITTEE

Motion to defer to the next meeting by Mr. Miranda, seconded by Mr. Harrington, it is unanimously voted to defer.

COUNCIL MEMBERS

(By Mayor Rolland R. Grant)

Four Way Stop Sign-Cushman Avenue and Clyde Avenue.

Motion to put this on for first hearing by Mr. Miranda, seconded by Mr. Harrington, it is unanimously voted to approve.

Motion to go on for a public hearing on November 8 by Mr. Miranda, seconded by Mr. Harrington, it is unanimously voted

to approve.

RESOLUTIONS

**A RESOLUTION OVERRIDING THE 5.5% PROPERTY TAX LEVY
CAP BY \$905,160 FOR FISCAL YEAR 2005.**

**WHEREAS, the City of East Providence sent a request to the
Rhode Island Department of Administration Office of
Municipal Affairs to exceed the property tax cap for fiscal year 2005**

**Under the provisions of 44-5-2 (c) (1) and (3) of the General Laws
of the State of Rhode Island and;**

**WHEREAS, The Rhode Island Department of Administration
Office of Municipal Affairs has
reviewed the request and, based on the information provided,
has certified exclusions to the cap in the amount of \$329,942
for loss in non-property tax revenue and \$575,218 for increase in debt
service expenditures and;**

**WHEREAS, The Rhode Island Department of Administration
Office of Municipal Affairs has certified to the City of East
Providence that it may exceed the property tax cap by a total of
\$905,160 dollars for the fiscal year 2005**

**NOW, THEREFORE, BE IT RESOLVED, the City Council does
hereby approve exceeding the tax cap by a total of \$905,160 for**

fiscal year 2005.

Motion by Mr. Harrington, seconded by Mr. Miranda.

Mr. Harrington	Aye
Mr. Rogers	Aye
Mr. Miranda	Aye
Dr. Ramos	Nay
Mayor Grant	Nay

Motion passes 3 to 2.

(BUDGET)

**1. AN ORDINANCE ORDERING THE ASSESSMENT AND
COLLECTION OF PROPERTY TAX ON THE RATEABLE
REAL ESTATE, TANGIBLE PERSONAL PROPERTY AND AN EXCISE
TAX ON REGISTERED MOTOR VEHICLES AND TRAILERS.**

Motion by Mr. Harrington, seconded by Mr. Miranda.

Mr. Harrington	Aye
Mr. Rogers	Aye
Mr. Miranda	Aye
Dr. Ramos	Aye
Mayor Grant	Aye

Motion passes 5 to 0.

**2. AN ORDINANCE AUTHORIZING THE DIRECTOR OF
FINANCE TO BORROW FUNDS IN ANTICIPATION OF
TAXES.**

Motion by Mr. Miranda, seconded by Mr. Miranda.

Mr. Harrington Aye

Mr. Rogers Aye

Mr. Miranda Aye

Dr. Ramos Aye

Mayor Grant Aye

**3. AN ORDINANCE AUTHORIZING THE DIRECTOR OF
FINANCE TO BORROW FUNDS IN ANTICIPATION OF
REVENUE.**

Motion by Mr. Miranda, seconded by Mr. Rogers.

Mr. Harrington Aye

Mr. Rogers Aye

Mr. Miranda Aye

Dr. Ramos Aye

Mayor Grant Aye

COMMUNICATIONS

Mr. Larisa who had requested to speak, had spoken earlier and left the chambers.

Motion to defer by Mr. Rogers, seconded by Mr. Harrington, it is unanimously voted to defer.

Dr. Ramos prepared a statement is support of Mr. Fazioli. He supports him now and after the election.

Motion to adjourn by Mr. Miranda, seconded by Mr. Harrington, it is unanimously voted to adjourn.

ATTEST_____

November 8,

2004

**JOHN M. O'HARE
CITY CLERK**